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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,326	01/14/2002	Laurent Roullet	Q68075	6676
23373	7590	04/27/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			LIOU, JONATHAN	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,326

Applicant(s)

ROULLET ET AL.

Examiner

Jonathan Liou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This office action is in response to applicant's paper filed 02/15/2006. Claims 1-6 as are currently pending in the application. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US Pat. No. 5,574,720.)

Regarding claims 1 and 4, , Lee teaches a relay and a method for use in telecommunications equipment (Fig. 3, the suppression apparatus would be a relay system for use in telecommunications equipment since suppression apparatus is used to control traffic output. The traffic could be several networks in the traffic flow. Any one of the network could be a relay of traffic. Thus, the suppression apparatus could be interpreted as a relay telecommunications equipment as claimed. See Fig. 3, Lee.), said comprising:

a receiver (R) adapted to receive an information stream consisting of information cells, some of which can be empty, (Input Cell Classification Processor 21 receives an information stream consisting of information cell. The real time cell would go to cell

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processor 22. The stand-by cell would go to process after standby type cell processor 23. See Fig. 3, Lee. In addition, Input Cell Classification Processor 21 receives the cell information include cell loss priority information, which could include the empty and nonempty cells in general. See col 2, lines 1-8, Lee.)

a mixer (M) adapted to detect the empty information cells and replace them with waiting cells, and (the process-after-standby type cell processor 23 checks whether a cell buffer of the cell temporary storage device is in an empty state. If it is an empty cell, which would be empty information cells as claimed, the processor 23 passes the input cell, which is standby cell. See col 5, lines 37-43, Lee.)

a transmitter (E) adapted to transmit the information cells (a cell output processor 19 transferring output cells to the network node interface means 4. See Fig. 2-3.), which relay is characterized in that it further comprises a stream analyzer (A) for determining if an information stream received by said receiver is a real-time information stream or a differed-time information stream and for storing differed-time information stream cells in a mass memory (MM) and in that said mixer is adapted to choose said waiting cells from among the cells stored in said mass memory (The classifier 12, could be interpreted as a stream analyzer, determined if received stream is a real-time information or a standby (differed-time) information. The distributor 16, could be interpreted as a mass memory, and stored the incoming standby cell from input cell classification processor 21. The process-after-standby type cell processor 23 would take the output from distributor as the waiting cell for the empty cell. See Fig. 3 and col 4, lines 50-61, Lee.)

Lee does not specifically teach a transmitter transmit the information cells to a receiver outside telecommunication satellite. However, the information cells are often used to communicate between the two communication systems. As far as a receiver outside telecommunication satellite, such as roaming system, are also well known in the art. Thus, it would have been obvious to one who has ordinary skill in the art at the time the invention was made to transmit the information cells to a receiver outside telecommunication satellite because the communication would required transmitter and receiver to establish a communication and the receiver could be outside of network, such as roaming system in order to successful communicate with other device.

Regarding claims 2 and 5, Lee teach the method and apparatus of claims 1 and 4; however, Lee does not specifically teach a deleter (D) for deleting an information cell stored in said mass memory when it has been sent by said transmitter to said receiver. However, Lee teaches the process-after –standby type cell processor 23 outputs a cell previously stored in the cell buffer and stores the input cell in the cell buffer. The cell buffer is a temporary storage device 17. (See Fig. 3 and col 5, lines 39-49) The temporary storage device would be obviously having an deleting function to delete the cell information when the cell has been sent. Thus, it would have been obvious to one who has ordinary skill in the art at the time the invention was made to delete an information cell after it has been set because Lee teaches temporary storage device 17 (Fig. 3.)

Regarding claims 3 and 6, Lee teaches the mixer is adapted to choose said waiting cells as a function of time scheduling rules (Lee teaches the input cell of

processor 23 is under first-in-first-out process, and Lee also teaches choosing the input cell of processor 23 to the empty cell. By first-in-first-out process, Lee teaches choosing waiting cells as a function of time scheduling rules. See col 4, lines 4-7, and col 5, lines 37-43, and Fig. 3, Lee.)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Liou



4/18/2006

RICKY Q. NGO
SUPERVISORY PATENT EXAMINER